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5 Attorneys for Defendants, MENU FOODS INCOME FUND, MENU FOODS INC.
6 and MENU FOODS MIDWEST CORPORATION

7 **IN THE UNITED STATES DISTRICT COURT**

8 **IN AND FOR THE DISTRICT OF NEVADA**

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10 MARION STRECZYN,

Case No. 3:07-CV-00159-LRH-VPC

11 Plaintiff

12 vs.

**DEFENDANTS' MOTION TO
STAY PROCEEDINGS**

13 MENU FOODS INCOME FUND, a foreign
14 corporation; MENU FOODS, INC., a
New Jersey Corporation, et al

15 Defendants

16 _____ /
17 TO: THE HONORABLE UNITED STATES DISTRICT JUDGE:

18 Defendants, MENU FOODS INCOME FUND, MENU FOODS INC. and MENU
19 FOODS MIDWEST CORPORATION (Collectively referred to as "MENU FOODS"), moves
20 this Court to stay all proceedings in this action pending a transfer decision by the Judicial Panel
21 on Multidistrict Litigation ("JPML") pursuant to U.S.C. §1407 and pending a determination of
22 class certification by the transferee court pursuant to Federal Rules of Civil Procedure 23(d)(1).
23 In support thereof, Defendants set forth the following:

24 **I. INTRODUCTION**

25 Currently, there are at least fifty-seven (57) actions that seek relief for individuals who
26 purchased allegedly contaminated pet food from Defendants. Federal courts have original
27 jurisdiction over these state and common law based actions pursuant to the Class Action Fairness
28 Act of 2005. 28 U.S.C. §1332(d). Specifically, the pending cases allege that Defendants sold